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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LOCAL 705 INTERNATIONAL)
BROTHERHOOD OF TEAMSTERS)
HEALTH AND WELFARE FUND, *et al.*,)

Plaintiffs,)

vs.)

JOYCE BROS. STORAGE & VAN CO.,)
an Illinois corporation,)

Defendant.)

CIVIL ACTION NO. 12 C 8841

JUDGE HARRY D. LEINENWEBER

MAGISTRATE JUDGE SIDNEY I. SCHENKIER

AGREED JUDGMENT ORDER

This matter coming on to be heard upon Plaintiffs' Complaint and Defendant's Appearance, the parties having agreed to the entry of judgment as set forth herein, the Court, first being fully advised in the premises, FINDS:

1. It has jurisdiction of the subject matter under 29 U.S.C. §§1132, 1145, and of the parties hereto.
2. Defendant was at all relevant times bound by the terms of the collective bargaining agreement referred to in Plaintiffs' Complaint, which required it to report and pay contribution to the Fund on behalf of employees who perform work covered by the collective bargaining agreement.
3. The Defendant was at all relevant times bound by the terms and conditions set forth in the Agreements and Declarations of Trust governing the Plaintiff Fund.

4. Defendant has submitted monthly contribution reports to the Plaintiffs identifying employees of the Defendant who performed work covered by the collective bargaining agreement, and the number of days worked by or paid to those employees through the month of November 2012, when it ceased operations. Defendant has not paid all contributions due as stated on its reports for October 2010, April 2011 and June 2012 through November 2012.

5. Defendant further owes 10% liquidated damages and 8% interest on all contributions paid late, or remaining unpaid, with interest calculated from the due date through the date the contributions were paid.

6. Based on the monthly reports submitted through November 2012, taking into account all payments received to date, Defendant owes Plaintiffs contributions of \$150,017.80, liquidated damages of \$75,969.10, and interest of \$13,716.03 (as of March 31, 2013).

7. Plaintiffs are entitled, at their discretion, to audit the payroll books and records of Defendant to verify the accuracy of the monthly reports referred to herein, and any other unaudited period, and to determine what additional amounts may be due and owing to Plaintiffs.

8. Plaintiffs have incurred costs and reasonable attorneys' fees totaling \$10,510.25, as of April 9, 2013, and are entitled to recover same from Defendant.

9. There is no just cause for delay in the entry of a Judgment Order as to the sum of \$250,213.18 owed to the Plaintiffs from Defendant.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED:

A. That Plaintiffs recover from the Defendant, JOYCE BROS. STORAGE & VAN CO., \$250,213.18, being the total amount due for contributions, interest, liquidated damages, costs and attorneys fees.

B. That Plaintiffs are awarded post-judgment interest, and their costs and attorneys' fees to execute on, or otherwise collect this judgment.

ENTER:

UNITED STATES DISTRICT JUDGE

HARRY D. LEINENWEBER

DATED: _____

5/1/13

WE HEREBY AGREE TO THE ENTRY OF THIS ORDER.

LOCAL 705 INTERNATIONAL
BROTHERHOOD OF TEAMSTERS
HEALTH AND WELFARE FUND, *et al.*

JOYCE BROS. STORAGE & VAN CO.

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